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Order Filed on November 14, 2016 by Clerk U.S. Bankruptcy Court District of New Jersey

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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re: Chapter 13

John B Carr and Kimberlyn Carr, Case No. 11-44733-JKS

Hearing Date: 10/13/2016 @ 11:00 a.m.

Judge: John K. Sherwood Debtors.

## ORDER VACATING AUTOMATIC STAY

The relief set forth on the following pages, number two (2) through two (2) is hereby

## **ORDERED**

**DATED: November 14,** 

2016

Honorable John K. Sherwood United States Bankruptcy Court

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Debtors: John B Carr and Kimberlyn Carr

Case No.: 11-44733-JKS

Caption of Order: **ORDER VACATING AUTOMATIC STAY** 

THIS MATTER having been opened to the Court upon the motion of Specialized Loan Servicing LLC, as servicing agent for The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2007-9 ("Movant"), for an order vacating the automatic stay in effect pursuant to 11 U.S.C. § 362(a), and for good cause shown for the entry of this Order, it is hereby ordered that:

- 1. The automatic stay be and is hereby vacated under 11 U.S.C. § 362(d) to permit Movant, to institute or resume a mortgage foreclosure action in the Superior Court of New Jersey in order to pursue its rights in real property located at 249 Elm Ave, Teaneck, New Jersey 07666;
- 2. Movant may join as defendants in said foreclosure action the Debtors and/or any trustee appointed in this case, irrespective of whether the Debtors' case converts to any other chapter of the Bankruptcy Code;
- 3. Movant may pursue any and all loss mitigation options with respect to the Debtors or the real property described above, including but not limited to repayment agreement, loan modification, short sale or deed-in-lieu of foreclosure;
- 4. Movant shall no longer be responsible to serve Notices of Payment Change and/or Notices of Post-Petition Fees, Expenses and Charges to the Debtors as required by F.R.B.P. 3002.1(b) and (c).

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